



THE CITY OF NEW YORK
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July 12, 2021

VIA ECF

Honorable Ronnie Abrams
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Samuel Small v. City of New York, 09-cv-1912 (RA) (SDA)

Your Honor:

I represent defendant The City of New York in the above-captioned action. I write with plaintiff's consent to request a six-week extension of time, to and including August 31, 2021, within which defendant may file its post-trial motion in this case. The rest of the deadlines in the case would extend accordingly, with one exception. Plaintiff's opposition would still be due 60 days after defendant's opening brief, and defendant's reply due 21 days after plaintiff's opposition. However, plaintiff has conditioned his consent to this extension on the stay of the execution of the judgment in this case only being extended to the end of calendar year 2021.

The reason for defendant's extension request is manifold. First, as Your Honor may be aware, at this time, the Law Department continues to require that the vast majority of its employees, including the attorneys on this case, work from home due to the effects of the COVID 19 pandemic. Working from home under the best of circumstances creates accessibility problems in regards to documents and files; although some documents can be easily accessed remotely by electronic means, many documents cannot be so accessed, because of variables such as format or size. This inaccessibility prevents this office from having all the information necessary to, *inter alia*, properly prepare the motion papers. Second, the supervisor assigned to the trial of this case is retiring from the Law Department in the very near future. An extension would allow a new supervisor to become familiar enough with the case in order to properly supervise the post-trial briefing. And, third, my trial partner has been involved in particularly time-consuming discovery in a reverse conviction case since the trial, and I have unexpectedly been assigned additional responsibilities in a pending class action.

Thank you for your consideration herein.

Sincerely,

/s/ *Katherine J. Weall*

Katherine J. Weall

cc: All counsel of record (Via ECF)

Application granted.
SO ORDERED.



Ronnie Abrams, U.S.D.J.
July 13, 2021